

Appl. No. 09/839,558

### REMARKS

This is in response to the Office Action of 03 June 2004. Claims 1-2, 4-17, 19-20, 22-24, and 27-32 are pending in the application, and Claims 1-2, 4-17, 19-20, 22-24, and 27-32 have been rejected.

By this Response, arguments are presented traversing the rejections under 35 USC §103(a).

No new matter has been added.

In view of the remarks below, Applicants respectfully request reconsideration and further examination.

#### About The Invention

The present invention relates generally to apparatus and methods for a distributed location-based information service. More particularly, the present invention relates to a mobile communication device which receives a portion of the information stored in a database of information that is typically maintained by a location-based service provider, wherein that portion is specific to the geographic location, or region, in which the mobile communication device is located, or is expected to be located based upon a determined long-term location profile. In various aspects of the present invention, the processing of the database information is handled by the mobile communication device rather than by the location-based service provider thereby reducing the computation load on the service provider. In other aspects of the present invention the mobile communication device applies user preferences to the information downloaded from the location-based service provider, wherein those preferences act as a filter on the information, and the filtering may be based, for example, on the time of day, the number of information items, the geographic location associated with the information items, or the type, or subject matter of the information items. In other aspects of the present invention, information is downloaded to the mobile communication device in response to one or more of a plurality of triggering conditions such as for example, a power-on sequence, a registration with a cell in

Appl. No. 09/839,558

a cellular communication system, a user preference update, moving outside of a predetermined boundary, or a time-based trigger. In still other aspects of the present invention, information is downloaded to the mobile device during off-peak periods of usage of the location-based information service.

Rejections under 35 USC §103(a)

Claims 1-2, 4-17, and 28-29 have been rejected under 35 USC §103(a) as being unpatentable over Hollenberg (US Patent 6,091,956) in view of Obradovich, et al., (US Patent 6,542,812) and further in view of Sundquist (US Patent 6,675,014). Claims 19-20, 22-24, and 27 have been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., (US Patent 6,542,812). Claim 30 has been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., and further in view of Amin, et al., (US Patent 6,353,398). Claim 31 has been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., and further in view of Chavez, et al., (US Patent 5,914,668). Claim 32 has been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., and further in view of Helferich (US Patent 6,233,430).

For at least the reasons set forth below, Applicants respectfully traverse the rejections under 35 USC §103(a), and request that these rejections be withdrawn.

Independent Claims 1, 11, and 19 recite producing, or determining, a long-term location profile. As disclosed in Applicants' specification (see, for example, paragraph 00036), a long-term location profile is essentially a measurement of a user's dwell time in particular regions, or areas. For example, a mobile device that is carried by a user who is typically found to be in a particular area of a city on certain days of the week, and found to be at a second location in the evenings and weekends, could have location service database maps preloaded for both locations overnight, thereby saving network resources at peak times. In other

Appl. No. 09/839,558

words, producing, or determining, such a long-term user location profile can be used in making a determination as to what information to download to the mobile device during off-peak periods.

Although the Examiner states that Obradovich, et al., disclose "using a long term user profile" at Fig. 7 and at column 9, lines 56-59, Applicants respectfully submit that this is different from the claimed producing of long term user location profiles. As noted above, Applicants' claimed long term user location profiles are derived from monitoring the location of the mobile device over time so that a determination can be made of the user's tendency to be within a certain geographical region within a certain period of time. Obradovich, et al., disclose providing a navigation route as a function of a pre-set, or user specified, preference profile. In this way, the navigator of Obradovich, et al., selects a route that guides the user along a path which results in being close by to the stores, restaurants, services, or similar features that are consistent with a user's desires, as set forth in the pre-set user preference profiles. Obradovich, et al., does not appear to disclose the mobile device tracking the user's time in a particular region or area, (i.e., dwell time) so as to provide a prediction of a user's location as a function of time or date.

The references do not appear to disclose, suggest, or provide motivation for a mobile device configured to produce a long-term location profile as claimed. Since the cited references do not appear to disclose the limitations recited in the Claims, Applicants respectfully submit that the rejection of Independent Claims 1, 11, and 19, along with the Claims that depend therefrom, in view of Hollenberg and Obradovich, et al., in various combinations with the above-noted references, are improper and should be withdrawn.

### Conclusion

All of the rejections in the outstanding Office Action of 03 June 2004 have been responded to, and Applicants respectfully submit that the pending Claims 1-2, 4-17, 19-20, 22-24, and 27-32 are now in condition for allowance.

Appl. No. 09/839,558

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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